

REMARKS

Status of the Claims

By the present amendment, claims 22-27, 58, 62-70 are cancelled. Claims 71-75 are currently under consideration in the application.

Allowable Subject Matter

It is noted that the Examiner indicated that claims 71 to 75 are allowable (page 2 of the office action mailed on February 19, 2010).

Rejection of claims 22-27, 58, and 62-70 under 35 USC § 103(a).

The Examiner has rejected claims 22-27, 58, and 62-70 under 35 U.S.C. 103(a) as being unpatentable over Pozniak et. al., (US 2004/0237134).

Claims 22-27, 58, and 62-70 have been cancelled. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance and requests early notification of the same. Should the examiner believe the prosecution of the application can be facilitated by a discussion of the issues presented; the examiner is invited to contact Applicant's representative at the number below.

Applicant believes no fees are due other than those provided elsewhere in this response. However, if additional fees are due, the Commissioner is hereby authorized to charge any required fees or credit any overpayment to Deposit Account No. 09-0528 under order number B248 1170US.

Dated: 06/07/2010

Respectfully submitted,

By 

Lawrence J. Carroll

Registration No.: 40,940

WOMBLE CARLYLE SANDRIDGE & RICE PLLC

1401 Eye Street, N.W.

Seventh Floor

Washington, DC 20005

(202) 467-6900 (Phone)

(202) 467-6910 (Fax)

Attorney for Applicant